

Congress of the United States
Washington, DC 20515

November 18, 2005

The Honorable Margaret Spellings
Secretary
Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

Dear Secretary Spellings:

We appreciate your continuing leadership in improving the implementation of the No Child Left Behind Act and your dedication to the nation's children. We are writing about your efforts to carry out a pilot project to enable a few states to analyze the link between student progress and growth, and the fulfillment of the accountability requirements of the Act. While the No Child Left Behind Act does not permit growth and student progress as determining factors in state accountability systems, we share your belief that as states progress toward the goal of universal proficiency, states and schools should also be recognized for achieving meaningful incremental success. We urge you to ensure that in approving and implementing alternate accountability models under this pilot, the achievement of certain students and the intent of the No Child Left Behind Act will not be undermined.

We believe the pilot project has the potential to demonstrate results that Congress can use in its reauthorization of the No Child Left Behind Act in 2007, especially regarding growth and student progress as elements in state assessment and accountability determinations. In that spirit, we feel that any pilot project should be limited to just a few states and apply only to states with the technical capacity and knowledge necessary to implement a growth-model system under the conditions described below. A state interested in this approach should demonstrate a sustained and proven track record of successfully implementing a high-quality, standards-based assessment and accountability system.

We also believe it is imperative for the Department to develop a clear and thorough evaluation plan for the states granted the authority to develop this system, focused on whether such changes in accountability can demonstrate gains in student performance and in reducing the achievement gap.

We suggest the following ideas for your consideration and incorporation in the pilot project:

- **Transparency:** States should be required to release their applications to the public, and the Department should post all submissions for public review at the time they're received. States approved to participate in the project should open their assessment and accountability data to the public and third-party researchers, and the Department should release all approved plans as a package, with an analysis of what was approved

in the various participating states.


- **Data Management:** At a minimum, each state application should explain how the state's data system can accurately account for the growth of all students and groups of students. If states cannot meet this condition, they are not likely to be prepared to implement a growth model. Preference should be given to states with strong assessment and longitudinal data systems that can track individual student growth over time.
- **Oversight and Implementation:** The Department should take responsibility for ensuring that states actually have the capacity and resources to carry out the plan. For the pilot project to be effective, the Department must ensure that states actually do what they pledge to do.
- **Evaluation:** The State plan should include a rigorous evaluation. With respect to each school in the state, the state should publicly report whether the school achieved AYP under the current system and whether the school reached its growth targets. The state should conduct and make public an analysis of the schools that reached their growth targets but not AYP, and the reasons for those results. The Department should conduct a formal, independent evaluation of the different school outcomes, and the evaluation should be presented to Congress and released to the public.
- **Growth to Rigorous Standards:** A cornerstone of the No Child Left Behind Act is its commitment to educate all students to rigorous academic standards and levels of proficiency. Any approval to use a growth model should require student demonstration of proficiency no later than the completion of a grade span no more than four years. Proposals should emphasize that schools are expected to see that students at the end of elementary school are ready for middle school, and States should not be allowed to tie growth for elementary students to low-level exit standards for high schools

If this pilot project is carried out with the highest standards of selection, implementation, and timely evaluation, we believe it could be useful in the reauthorization of the No Child Left Behind Act.

Thank you, as always, for your outstanding efforts on school reform, and we very much appreciate your consideration of our request.

Sincerely,


GEORGE MILLER


EDWARD M. KENNEDY